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APR 23 2009

In re Patent No. 6,973,160	:	OFFICE OF PETITIONS
Issue Date: 12/06/2005	:	
Application No. 10/705,910	:	DECISION ON PETITION
Filed: 11/13/2003	:	
Attorney Docket No. 03560.003399	:	

This is a decision on the petition under 37 CFR 1.181 (no fee), filed January 26, 2009, requesting issuance of a duplicate Letters Patent for the above-identified patent.

The petition is **GRANTED**.

Petitioner states that the original Letters Patent was never received.

The required showing to establish nonreceipt of an Office communication must include a statement from the practitioner stating that the Office communication (in this case, the original Letters Patent) was not received by the practitioner and attesting to the fact that a search of the file jacket and docket records indicates that the Letters Patent was not received. A copy of the docket record where the nonreceived Letters Patent would have been entered had it been received and docketed must be attached to and referenced in practitioner's statement. See MPEP § 711.03(c) and 1156 Official Gazette 53 (November 16, 1993).

The petition is accompanied by the evidence required to establish nonreceipt of the original Letters patent. Accordingly, the Office of Data Management is directed to issue a duplicate Letters Patent.

A copy of this decision is being faxed to Office of Data Management for issuance of a duplicate Letters Patent.

Telephone inquiries concerning this decision may be directed to the undersigned at (571) 272-3211.

Christina Tartera Donnell

Christina Tartera Donnell
Senior Petitions Attorney
Office of Petitions

cc: Niomi Farmer, South Tower, 8th Floor (Fax No. (571) 270-9753)